IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

WEDNESDAY, THE 6TH DECEMBER 2006 / 15TH AGRAHAYANA 1928

RP.No. 1052 of 2006()

(WPC.25899/2006 Dated 09/10/2006)

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REVIEW PETITIONERS/RESPONDENTS

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1. THE ASST. EXCISE COMMISSIONER,
   MUTTIL, WAYANAD DISTRICT.

2. THE EXCISE INSPECTOR,
   SULTHANBATHERY.

BY GOVERNMENT PLEADER SRI PUZHAKKARA MUHAMMED.

RESPONDENTS: PETITIONER

SUNIL KUMAR,
S/O.VIJAYAN, MAVATH HOUSE,
MOODAKOLLI P.O., WAYANAD DISTRICT.

BY ADV. SRI.JIJO PAUL

THIS REVIEW PETITION HAVING BEEN FINALLY HEARD ON 06/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J.

R.P.NO.1052 OF 2006
&
CONT.CASE (CIVIL NO.1471/2006

DATED THIS THE 6TH DECEMBER 2006

ORDER

The petitioner has sought for getting the order in W.P.C 25899/2006 reviewed on the basis of the decision in **Prasad v.Sub Inspector of Police** (2000(2) KLT 790). The R.P.has been filed on the basis of the order in W.A.No.2039/2006.

In the circumstances, the order in W.P.C.25899/2006 is reviewed and the respondent is directed to furnish bank guarantee as per Rule 4 (2))a) of the Abkari (Disposal of Confiscated Articles) Rules, 1996. The valuation shall be done by the petitioners at the earliest, at least, within two weeks from today and the vehicle shall be released on furnishing bank guarantee.

The R.P. is allowed.

The Cont.Case (Civil) No.1471/2006 is closed.

Kvm/- K.R.UDAYABHANU,JUDGE.

(K.R.UDAYABHANU)

Judge.

kvm/-